

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

GARY L. SIMPSON,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. CIV-15-537-D
	)	
FNU ADDISON,	)	
	)	
Respondent.	)	

**ORDER**

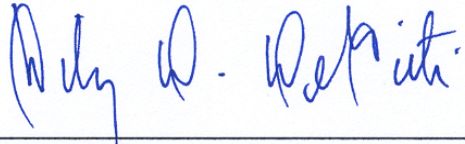
This matter is before the Court for review of the Report and Recommendation [Doc. No. 5] issued on May 19, 2015, by United States Magistrate Judge Gary M. Purcell pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). In the Report and Recommendation, the Magistrate Judge recommended that Petitioner's Motion for Leave to Proceed *In Forma Pauperis* [Doc. No. 2] be denied. Additionally, the Magistrate Judge recommended that the action be dismissed without prejudice to refiling unless Petitioner paid the requisite \$5.00 filing fee on or before June 8, 2015. The Magistrate Judge specifically advised Petitioner of his right to object to the findings and recommendations set forth therein. He further advised Petitioner that his failure to timely object would constitute a waiver of his right to appellate review of the factual and legal matters in the Report and Recommendation. Petitioner's deadline for filing objections was June 8, 2015.

To date, Petitioner has not filed an objection to the Report and Recommendation or sought an extension of time in which to do so. Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 5] in its entirety and Petitioner's Motion for Leave to Proceed *In Forma Pauperis* [Doc. Nos. 2] is DENIED.

The Court docket further reflects that Petitioner has now paid the \$5.00 filing fee. See Receipt for Payment [Doc. No. 6]. The Court finds Petitioner has complied with the Court's

directive to pay the \$5.00 filing fee, and, therefore, the matter shall proceed before Magistrate Judge Purcell pursuant to the Court's previous referral order [Doc. No. 4].

IT IS SO ORDERED this 12<sup>th</sup> day of June, 2015.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE